

Message Text

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12

ACTION SCSE-00

INFO OCT-01 EUR-12 ISO-00 JUSE-00 L-02 SCA-01 CG-00 DOTE-00

H-02 SY-04 /022 W

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P 030900Z JAN 75

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC PRIORITY 5853

UNCLAS SECTION 1 OF 2 MOSCOW 0058

E.O. 11652: N/A

TAGS: CGEN (HENDRIX, JAMES M.)

SUBJECT: STATEMENT OF CAPTAIN THOMAS

REF: MOSCOW 0009

DEPARTMENTPASS JUSTICE/CRIMINAL DIVISION/CUBBAGE

A. EMBASSY RECEIVED FROM CONSOFF IN ODESSA FOLLOWING STATEMENT OF CAPTAIN THOMAS. AS DEPT AWARE, HE IS SHIPPING COMPANY AGENT AND NOT MASTER OF EAGLE VOYAGER. EMBASSY IS POUCHING CERTIFIED COPY OF STATEMENT TO EUR/SOV JAN 3. WASHINGTON DEPARTMENTS MAY WISH TO REVIEW THIS CABLE AND ADVISE WHETHER THEY HAVE ANY SPECIAL RULES-OF-EVIDENCE INSTRUCTIONS BEFORE WE FORWARD ORIGINAL.

B. FACIMILE OF STATEMENT FOLLOWS:

UNION OF SOVIET SOCIALIST REPUBLICS
DISTRICT OF THE CONSULAR SECTION
OF THE EMBASSY OF THE UNITED
STATES OF AMERICA AT MOSCOW

BEFORE ME, ANN E. DARBYSHIRE, VICE CONSUL OF THE UNITED STATES OF AMERICA AT MOSCOW, USSR, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED HAMILTON GARY PARK THOMAS, WHO, BEING DULY SWORN, DEPOSES AND SAYS AS FOLLOWS:

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(1) MY NAME IS HAMLITON GARY PARK THOMAS AND I RESIDE AT

1062 13TH STREET, APARTMENT 4, SAN PEDRO, CALIFORNIA, 90731.

(2) MY EMPLOYER IS UNITED MARITIME CORPORATION, 250 PARK AVE., NEW YORK, N.Y. 10017. I AM ACTING OWNER'S REPRESENTATIVE AND ACTED AS EXPEDITER AND "TROUBLE SHOOTER" FOR THE OWNER OF THE S.S. EAGLE VOYAGER WHILE SHE WAS DISCHARGING A CARGO OF GRAIN AT ODESSA UNDER CHARTER PARTY DATED NEW YORK, NOVEMBER 1, 1974, BETWEEN SEA TRANSPORT CORPORATION, A SUBSIDIARY OF UNITED MARITIME CORPORATION, OWNERS, AND V/O EXPORTKHLEB, MOSCOW, CHARTERERS.

(3) I ARRIVED IN ODESSA AT 2300 ON DEC 10, 1974. THE EAGLE VOYAGER ARRIVED ODESSA PORT DECEMBER 12, 1974, AND ANCHORED TO AWAIT OFFICIAL CLEARANCE AND BERTH. THE FOLLOWING IS A CHRONOLOGY OF EVENTS, PERSONALLY WITNESSED BY ME, RELATING TO THE SHIP'S STAY IN ODESSA.

(4) 12/13 - CARGO INSPECTION AND CLEARANCE

(5) 12/13 - 12/25 - OUTER ROADS ANCHORAGE TO AWAIT CARGO BERTH

(6) 12/25:0300 - 0415 - SHIFTED FROM OUTER ROADS TO BERTH 38

(7) 12/25: 0710 - I BOARDED THE VESSEL TO OBSERVE AND ASSIST THE MASTER

(8) COMMENCED DISCHARGING CARGO
12/25: 2200

(9) 12/27 - 12/29 - CONTINUOUS DISCHARGING

(10) 12/28 - ON THE MORNING OF THE 28TH, WHILE I WAS SITTING IN THE CAPTAIN'S OFFICE WITH THE CAPTAIN, THE STEWARD MR. KIEDINGER COMPLAINED TO THE CAPTAIN ABOUT JAMES M. HENDRIX'S WORKING HABITS, AND WANTED THE CAPTAIN TO REPRIMAND HENDRIX BY LOGGING HIM FOR GOING ASHORE BEFORE DOING HIS WORK.

(11) 12/29 - ON THE MORNING OF THE 29TH THE CAPTAIN DID LOG
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JAMES HENDRIX AT THE STEWARD'S REQUEST. HOWEVER DURING THE ACTUAL LOGGING I LEFT THE CAPTAIN'S OFFICE.

(12) 12/29:1200 COMPLETED DISCHARGE, DISMANTLING OF VACUATORS, AND CLEARING OF VESSEL IN ORDER TO DEPART ODESSA TO PROCEED TO POTI, GEORGIAN SSR, USSR.

(13) 12/29:2330 FINISHED TAKING SHIP'S BUNKERS, 600 METRIC

TONS. "INFLOT" DISPATCHER ADVISED THAT VESSEL AWAITING GOVERNMENT CONTROL OFFICIALS TO CLEAR THE VESSEL FOR POTI.

(14) 12/30/0045 "INFLOT" DISPATCHER BOARDED WITH IMMIGRATION AND CUSTOMS OFFICIALS TO CLEAR VESSEL.

(15) 12/30:0050 SEAMAN BREATHLESSLY AND EXCITEDLY RUSHED INTO MIDSHIP HOUSE EXCLAIMING TO CAPTAIN THAT THE STEWARD IS LYING IN A POOL OF BLOOD IN HIS ROOM.

(16) 12/30:0055 THE MASTER CAPTAIN ANGELIKOUSSIS DISPATCHED THE CHIEF OFFICER MR. BILL BELLINGER TO ASCERTAIN WHAT HAD HAPPENED TO THE STEWARD.

(17) 12/30:0100 THE CHIEF OFFICER RETURNED AMIDSHIP AND REPORTED THAT THE STEWARD WAS BEYOND HIS (THE CHIEF OFFICER'S) CAPABILITIES TO HELP HIM. THE CHIEF OFFICER BELIEVED HE WAS INDEED DEAD. AT THIS TIME I DIRECTED THE INFLOT DISPATCHER TO CALL FOR A DOCTOR AND AN AMBULANCE. (THE SHIP'S VHF WAS USED TO CONTACT INFLOT OFFICE TO ALERT THE MEDICAL EMERGENCY AUTHORITIES.) IN THE MEANTIME, THE CAPTAIN, MYSELF, LOCAL AUTHORITIES, CHIEF ENGINEER, AND VARIOUS CREWMEMBERS INSPECTED, OBSERVED, OR INDIVIDUALLY CURIOSLY VIEWED THE BODY AND SCENE. I PERSONALLY VIEWED THE BODY AND FELT FOR THE PULSE AND LOOKED FOR ANY VITAL SIGNS. HOWEVER, I COULD NOT DETECT ANY INDICATIONS OF LIFE. AT THIS TIME, THE RADIO OFFICER, GENERAL HEARNE, JR., WAS TAKING PICTURES OF THE BODY AND SCENE. WHILE AWAITING THE MEDICAL AUTHORITIES IT WAS DETERMINED BY THE MASTER, CHIEF MATE, AND SECOND MATE THAT THE PERPETRATOR OF THIS DEADLY ASSAULT ON THE STEWARD MUST BE APPREHENDED. THE UTILITY STEWARD (BEDROOM STEWARD) JAMES M. HENDRIX WAS INDICATED BECAUSE OF PREVIOUSLY KNOWN INCIDENTS BETWEEN HIM AND THE STEWARD.

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(18) 12/30:0110 I ASKED THE INFLOT SUPERVISOR TO ALERT THE LOCAL POLICE FOR THEIR ASSISTANCE IN INVESTIGATING THIS INCIDENT.

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ACTION SCSE-00

INFO OCT-01 EUR-12 ISO-00 JUSE-00 SCA-01 L-02 H-02 SY-04

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----- 049952

P 030900Z JAN 75

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC PRIORITY 5854

UNCLAS SECTION 2 OF 2 MOSCOW 0058

DEPARTMENT PASS JUSTICE/CRIMINAL DIVISION/CUBBAGE

(1) 12/30:0115 AS I WAS PROCEEDING AFT TO SEE WHAT WAS GOING ON AFT, AND STILL AWAITING THE DOCTOR, I MET THE CHIEF MATE AND THE SECOND MATE MR. ANDREW DANILUK, JR., ESCORTING THE BR JAMES M. HENDRIX UP THE CATWALK. HE WAS HAND-CUFFED AND DISHEVELED AND IN A RATHER VIOLENT AND BELLIGERENT STATE, DRESSED ONLY IN DUNGAREES AND BAREFOOT AND SHIRTLESS, LONG HAIR DANGLING OVER HIS FACE AND SHOULDERS. HIS PANTS APPEARED WET WITH DARK BLOTCHY STAINS. THE CHIEF MATE WAS CARRYING A PAIR OF YELLOW HIGH-TOPPED BOOTS. WHEN HE WAS BROUGHT INTO THE MIDSHIP LOUNGE IT WAS APPARENT MR. HENDRIX'S DUNGAREES WERE HEAVILY STAINED WITH BLOOD. MR. JAMES M. HENDRIX ACKNOWLEDGED THAT THE BOOTS WHICH THE CHIEF MATE HAD IN HIS POSSESSION BELONGED TO MR. HENDRIX. THE BOOTS WERE COVERED WITH BLOOD. IN THIS GENERAL PERIOD OF TIME, THE DOCTORS OR MEDICAL TEAM (A MAN AND A WOMAN) ARRIVED ON BOARD. AFTER A SHORT EXAMINATION OF THE STEWARD, THEY PRONOUNCED HIM DEAD. HOWEVER, THEY WOULD TAKE NO RESPONSIBILITY TO REMOVE THE CORPSE WITHOUT HIGHER AUTHORITIES' DIRECTIVE.

(20) 12/30/0130 REQUESTED THE INFLOT DISPATCHER TO PLEASE APPEAL FOR THE POLICE. HE ASSURED ME THAT THEY WERE ON THEIR WAY. I THEN WENT AFT. THE STEWARD'S ROOM DOOR WAS OPEN. THE CHIEF ENGINEER JOHN K. ELHOLM BROUGHT SOME MASKING TAPE TO THE STEWARD'S ROOM AND WE CLOSED AND TAPED THE DOOR TO THE STEWARD'S ROOM IN A SORT OF A SEALING FASHION.

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(21) IN THE COMPANY OF THE CHIEF ENGINEER, WITH THE CHIEF MATE'S MASTER KEY, I OPENED SOME OF THE SAILOR'S CABINS. IN A FEW ROOMS, INCLUDING JAMES M. HENDRIX'S, WE OBSERVED EVIDENCE OF DRINKING, EMPTY AND PARTIALLY FILLED BOTTLES OF WHISKEY, WINE AND CHAMPAGNE, AND BROKEN GLASSES ON THE DECK.

(22) DURING THIS TIME THE TURMOIL I HEARD STATE-

MENTS FROM VARIOUS CREWMEMBERS NOT IDENTIFIED TO ME BY NAME
THAT JAMES M. HENDRIX HAD TOLD HIM HE "KILLED THE SON-OF-A-BITCH."

(23) ALSO DURING THIS PERIOD OF TIME, CHARLES E. DEMERS AB
TOLD ME THAT WHEN HE WAS GOING ON WATCH AT MIDNIGHT (0000)
HE HAD STOPPED BY THE STEWARD'S ROOM AND GIVEN HIM (THE STEWARD)
A PACKAGE OF CIGARETTES AND THAT THE STEWARD WAS OK AT THAT TIME.
DEMERS LATER CONFIDED TO ME THAT HE HAD BEEN DRINKING WITH
JAMES M. HENDRIX AND AN ENGINEMAN EARLIER IN THE EVENING ABOUT
2100 IN THE ENGINEMAN'S ROOM.

(24) ABOUT 0200 OR LATER, THE POLICE ARRIVED. THE INFLOT
DISPATCHER EXPLAINED TO THEM WHAT HAD TRANSPIRED. THE TWO
OFFICERS THEN SAID THAT THEY COULDN'T DO ANYTHING WITHOUT
AUTHORITY FROM THE SUPERIORS. AFTER APPARENTLY TELEPHONING
THEIR SUPERIORS FROM THE DOCK, THEY REPORTED THAT NOTHING
COULDBE DONE UNTIL LATER IN THE DAY.

(25) 12/30:0430 AT THIS TIME ALL THE AUTHORITIES LEFT
THE VESSEL - DOCTORS, IMMIGRATION, CUSTOMS, POLICE OFFICERS.
INFLOT DISPATCHER AND I WENT TO THE INFLOT OFFICE.

(26) I SENT A TELEX TO MY COMPANY OFFICE IN NEW YORK
EXPLAINING TO THEM OUR DILEMMA. ALSO PLACED A TELEPHONE
CALL TO THE U.S. CONSUL IN MOSCOW AND A CALL TO CAPTAIN H.E.
ENGELBRECHT AND CAPTAIN H. R. FISHER. AT 0500 APPROXIMATELY
I SPOKE TO MS. ANN DARBYSHIRE, VICE CONSUL, U.S. EMBASSY,
MOSCOW, AND REPORTED THE EPISODE ABOARD THE EAGLE VOYAGER.

(27) 12/30/0700 MADE TELEPHONE CONTACT WITH CAPTAIN
H.R. FISHER AND EXPLAINED THE FACTS TO HIM. I REQUESTED
THAT HE INFORM THE NEXT OF KIN OF MR. KIEDINGER - HIS SISTER
MARY HARTSFIELD, 3517 LORNA ROAD, BIRMINGHAM, ALABAMA, -
TO GET HER INSTRUCTIONS FOR THE DISPOSITION OF THE REMAINS.
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(28) THE REST OF THE MORNING I SPENT WITH MR. ALEXANDER,
MANAGER OF INFLOT, TRYING TO RESOLVE WITH THE LOCAL AUTHORITIES
THE NECESSITY TO TAKE THE CORPSE TO THE LOCAL MORGUE FOR AN
AUTOPSY AND PREPARATIONS TO SHIP THE REMAINS TO THE UNITED
STATES. I WAS ALSO TRYING TO HAVE THE LOCAL POLICE TAKE THE
SUSPECTED PERPETRATOR OF THE CRIME TAKEN INTO PROTECTIVE CUSTODY
UNTIL FINAL DISPOSITION OF HIM AND THE INCIDENT COULD BE MADE.
HOWEVER, ALL EFFORTS TO HAVE LOCAL AUTHORITIES ENTER INTO THIS
WERE FRUITLESS.

(29) THE LOCAL AUTHORITIES FINALLY AGREED TO TAKE THE CORPSE
FROM THE VESSEL FOR AN AUTOPSY AND PREPARATIONS FOR SHIPPING.
A LETTER REQUESTING THAT MEDICAL EXPERTS BE COMMISSIONED

TO PERFORM THE AUTOPSY, PREPARE THE BODY, AND HOLD THE BODY IN THE MORGUE UNTIL ALL ARRANGEMENTS COULD BE MADE WAS PREPARED. THE COSTS FOR THESE SERVICES WERE TO BE BORN BY THE SHIP OWNER.

(30) SUBSEQUENTLY THAT DAY (12/30) THE EAGLE VOYAGER WAS SHIFTED FROM BERTH 38 TO BERTH 5 OIL HARBOR. SHIFTING WAS COMPLETED AT 1615 12/30. THEN AT 1900 MR. ALEXANDER, VICTOR V. NIKOLAYEV AND ANATOLIY S. BUDANOV OF INFLOT, IN COMPANY OF TWO AMBULANCE OR HEARSE ATTENDANTS, CAME ABOARD FOR THE CORPSE. I PREPARED AND PRESENTED THE ABOVE LETTER OF REQUEST, FINANCIAL GUARANTEE, AND MY AGREEMENT TO BE PRESENT AT THE AUTOPSY, WHICH THE MASTER AND I BOTH SIGNED. THE BODY WAS REMOVED FROM THE VESSEL WITH HIS SHIPMATES CARRYING THE STEWARD'S REMAINS.

(31) BY MIDNIGHT 12/30 THE VESSEL WAS CLEARED AND SAILED FOR POTI. HENDRIX WAS ABOARD THE VESSEL IN THE CUSTODY OF THE MASTER AS PER U.S. MARITIME LAW.

AND FURTHER DEPONENT SAITH NOT.

/S/

HAMILTON GRAY PARK THOMAS

SUBSCRIBED AND SWORN TO BEFORE ME THIS SECOND DAY OF JANUARY, 1975.

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/S/

ANN E. DARBYSHIRE
AMERICAN VICE CONSUL

SEAL
STOESSEL

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Message Attributes

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